

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:23cv56HSO-BWR

ONE (1) GLOCK 26, 9MM CALIBER PISTOL,
SERIAL NO. ACVX166, WITH ONE (1) 9MM
CALIBER MAGAZINE, AND TWELVE (12)
ROUNDS OF AMMUNITION; ONE (1)
GLOCK 23, 40 CALIBER PISTOL, SERIAL
NO. RYT966, WITH ONE (1) 40 CALIBER
MAGAZINE, AND SEVENTEEN (17) ROUNDS
OF AMMUNITION; ONE (1) SMITH &
WESSON SD40VE, 40 CALIBER PISTOL,
SERIAL NO. FDZ1754, WITH ONE (1) 40
CALIBER MAGAZINE, AND FOURTEEN (14)
ROUNDS OF AMMUNITION; ONE (1)
SPRINGFIELD ARMORY MODEL XD9
PISTOL, SERIAL NO. BY500613; AND
ONE (1) TAURUS PT 740, 40 CALIBER
PISTOL, SERIAL NO. SEX35996

DEFENDANT PROPERTY

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff United States of America, by and through its United States Attorney and the undersigned Assistant United States Attorney for the Southern District of Mississippi, brings this complaint for forfeiture *in rem* and alleges:

NATURE OF THE ACTION

1. This is a civil action *in rem* to forfeit firearms, magazines, and ammunition seized from TRAVEN TYVAUGHN ANDRUS (“ANDRUS”) for a violation of 18 U.S.C. § 922(g)(3). The Defendant Property is therefore subject to forfeiture under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action under 28 U.S.C. § 1345 and § 1355.

3. Venue is proper in this District under 28 U.S.C. § 1355(b)(1)(A) because the acts giving rise to the forfeiture occurred in this District and under 28 U.S.C. § 1395(b) because the Defendant Property was found in this District.

THE DEFENDANT IN REM

4. The Defendant Property, which was seized within the Southern District of Mississippi, Southern Division, consists of the following:

Property ID #	Property Description
22-DEA-690766	One (1) Glock 26, 9mm Caliber Pistol, Serial No. ACVX166, with One (1) 9mm Caliber Magazine, and Twelve (12) Rounds of Ammunition, seized on April 12, 2022, from Traven TyVaughn Andrus
22-DEA-690768	One (1) Glock 23, 40 Caliber Pistol, Serial No. RYT966, with One (1) 40 Caliber Magazine, and Seventeen (17) Rounds of Ammunition, seized on April 12, 2022, from Traven TyVaughn Andrus
22-DEA-690769	One (1) Smith & Wesson SD40VE, 40 Caliber Pistol, Serial No. FDZ1754, with One (1) 40 Caliber Magazine, and Fourteen (14) Rounds of Ammunition, seized on April 12, 2022, from Traven TyVaughn Andrus
TBD	One (1) Springfield Armory Model XD9 Pistol, Serial No. BY500613, surrendered to DEA on May 13, 2022, by Traven TyVaughn Andrus's attorney
TBD	One (1) Taurus PT 740 Pistol, 40 Caliber, Serial No. SEX35996, surrendered to DEA on June 29, 2022, by Traven TyVaughn Andrus's attorney

BASIS FOR FORFEITURE

5. The Defendant Property is subject to forfeiture under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), because it was possessed in violation of 18 U.S.C. §§ 922(g)(3) (unlawful user of any controlled substance).

6. Title 18, section 924(d)(1) authorizes forfeiture of “[a]ny firearm or ammunition involved in or used in any knowing violation of subsection ... (g) ... of section 922, ... or knowing violation of section 924.”

FACTS AND CIRCUMSTANCES

9. A detailed account of the facts and circumstances supporting the seizure and forfeiture of the Defendant Property is set out in DEA Task Force Officer Adam Gibbon's declaration, attached hereto as Exhibit "A" and incorporated herein by reference.

CLAIM FOR RELIEF
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

12. Paragraphs 1 through 9 above are incorporated by reference as if fully set forth herein.

13. The Defendant Property is subject to seizure and forfeiture to the United States under 18 U.S.C. § 924(d), which authorized the forfeiture of "[a]ny firearm or ammunition involved in or used in ... any violation of any other criminal law of the United States." 18 U.S.C. § 924(d)(1); *see also* 28 U.S.C. § 2461 (providing broader forfeiture authorization).

Plaintiff United States requests that:

- (a) the Court find that the United States has demonstrated it has a reasonable belief that the Defendant Property is forfeitable to the United States under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c);
- (b) process issue to enforce the forfeiture of the Defendant Property;
- (c) notice of this action be given to all Defendant Properties under Supplemental Rule G(3)(b), which the United States will execute upon the Defendant Property located in the custody of the DEA under 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c);
- (d) notice of this action be given to all persons and entities known or thought to have an interest in or right against the Defendant Property to appear and show why the forfeiture should not be decreed;

- (e) the Court decree that forfeiture of the Defendant Property to the United States of America is confirmed, enforced, and ordered; and,
- (f) the Court award the United States its costs and disbursements in this action, and the Court order such other relief that it deems just and proper.

Respectfully submitted,

UNITED STATES OF AMERICA

Date: February 28, 2023

DARREN J. LAMARCA
United States Attorney

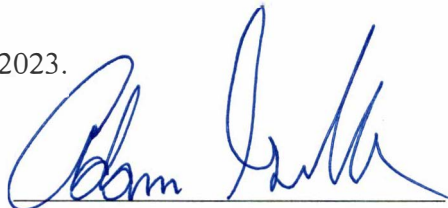
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VERIFICATION

I, Adam Gibbons, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the Drug Enforcement Agency (DEA), that I have read the foregoing Verified Complaint for Forfeiture *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint for Forfeiture *in rem* are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States of America, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a DEA TFO.

Dated this the 28th day of February 2023.



ADAM GIBBONS
Task Force Officer
Drug Enforcement Agency (DEA)